

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	05-00075-01-CR-W-GAF
HOBER GALVAN-GOMEZ,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on June 17, 2005. Defendant Hober Galvan-Gomez appeared in person and with Assistant Federal Public Defender Laine Cardarella. The United States of America appeared by Assistant United States Attorney Bruce Rhoades.

I. BACKGROUND

On March 3, 2005, an indictment was returned charging defendant with conspiracy to distribute cocaine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B); being an illegal alien in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(5)(a) and 924(a)(2); and possessing a firearm during and in relation to a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Rhoades announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Detective Gary Gibson or Detective Todd Dolato, Kansas City, Missouri, Police Department.

Ms. Cardarella announced that she will be the trial counsel for defendant Hober Galvan-Gomez.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Rhoades announced that the government intends to call 9 witnesses without stipulations or 4 to 5 witnesses with stipulations during the trial.

Ms. Cardarella announced that defendant Hober Galvan-Gomez intends to call 1 witness during the trial. The defendant may testify.

V. TRIAL EXHIBITS

Mr. Rhoades announced that the government will offer approximately 10 exhibits in evidence during the trial.

Ms. Cardarella announced that defendant Hober Galvan-Gomez will offer no exhibits in evidence during the trial.

VI. DEFENSES

Ms. Cardarella announced that defendant Hober Galvan-Gomez will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Ms. Cardarella stated this case may be for trial.

VIII. STIPULATIONS

Stipulations are likely as to chain of custody and chemists' reports.

IX. TRIAL TIME

Counsel were in agreement that this case will take 2 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed March 18, 2005, counsel for each party file and serve a list of exhibits he or she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by June 17, 2005;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, June 22, 2005;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, June 22, 2005. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and, if available to counsel, 3 and 1/2 inch computer disk in a form compatible with WordPerfect 9.0.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on June 27, 2005.

A Spanish-speaking interpreter is required.

Bruce Rhoades has a trial on the second week of the docket. This case will need to be tried during the first week of the docket.

/s/ Robert E. Larsen

ROBERT E. LARSEN
U. S. Magistrate Judge

Kansas City, Missouri
June 17, 2005

cc: The Honorable Gary A. Fenner
Mr. Bruce Rhoades
Ms. Laine Cardarella
Mr. Jeff Burkholder